

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF DELAWARE**

Pfizer Inc.,	)	
Pfizer Ireland Pharmaceuticals,	)	
Warner-Lambert Company,	)	
Warner-Lambert Company LLC and	)	
Warner-Lambert Export Limited,	)	
	)	
Plaintiffs/Counterclaim-Defendants	)	
	)	
v.	)	
	)	C.A. No. 08-cv-164-JJF
	)	
Ranbaxy Laboratories Limited	)	
Ranbaxy Pharmaceuticals, Inc. and	)	
Ranbaxy, Inc,	)	
	)	
Defendant/Counterclaim-Plaintiff.	)	
	)	

## CONSENT ORDER AND STIPULATED INJUNCTION

WHEREAS, plaintiffs/counterclaim defendants Pfizer Inc., Pfizer Ireland Pharmaceuticals, Warner-Lambert Company, Warner-Lambert Company, LLC and Warner-Lambert Export Limited (“Pfizer”) own U.S. patents covering the manufacture, sale and use of atorvastatin containing products, including without limitation U.S. patents 6,087,511 and 6,274,740 (collectively, “Lipitor Patents”);

WHEREAS, defendant/counterclaim plaintiff Ranbaxy Laboratories Limited, Ranbaxy Pharmaceuticals, Inc. and Ranbaxy, Inc. (“Ranbaxy”) has submitted to the U.S. Food and Drug Administration Abbreviated New Drug Application No. 76-477 (“Ranbaxy ANDA”) for approval to market and sell generic atorvastatin calcium;

WHEREAS, Pfizer and Ranbaxy are parties to litigation relating to the Ranbaxy ANDA and Lipitor Patents, and Ranbaxy desires to sell generic atorvastatin calcium

under the Ranbaxy ANDA free from claims of infringement by Pfizer under the Lipitor Patents;

WHEREAS, Pfizer and Ranbaxy have entered into a Settlement and License Agreement, dated as of June 17, 2008 (“Settlement Agreement”), pursuant to which the parties have resolved this action and Pfizer has granted Ranbaxy certain rights to its portfolio of patents relating to atorvastatin;

NOW THEREFORE, Pfizer and Ranbaxy stipulate that:

1. Ranbaxy, its officers, agents, servants, employees and attorneys, and those persons in active concert or participation with Ranbaxy are enjoined until November 30, 2011 from engaging in the commercial manufacture, use, offer to sell, or sale within the United States, or importation into the United States, of any product comprising the chemical compound atorvastatin calcium. This injunction shall terminate automatically upon the U.S. Generic Lipitor Commencement Date as defined in the Settlement Agreement.

2. The Protective Order entered by the Court in this action shall remain in full force and effect notwithstanding this Consent Order and Stipulated Injunction.

3. All claims and counterclaims are dismissed with prejudice, and each Party shall bear its own costs, expenses and attorneys’ fees in connection with this action.

4. The parties waive any right of appeal from this Order.

5. The Court reserves jurisdiction over this Consent Order in the event of any dispute concerning it.

Dated: June 18, 2008

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By: /s/ Rudolf E. Hutz

By: /s/ Frederick L. Cottrell, III

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IT IS SO ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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The Honorable Joseph J. Farnan, Jr.  
United States District Judge